

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ARI ELIAS BAUM,

Defendant.

14-CR-164-WMS

NOTICE OF MOTION

MOTION BY:

Brian P. Comerford, Assistant Federal Public
Defender.

DATE, TIME & PLACE:

Before the Honorable William M. Skretny, Senior
United States District Court Judge, Robert H.
Jackson United States Courthouse, 2 Niagara
Square, Buffalo, New York, **on the papers.**

SUPPORTING PAPERS:

Affirmation of Assistant Federal Public Defender
Martin J. Vogelbaum, dated March 9, 2017.

RELIEF REQUESTED:

Adjournment of deadline to file objections to
Magistrate's report and recommendation to and
including April 20, 2017.

DATED:

Buffalo, New York, March 9, 2017.

/s/ Martin J. Vogelbaum

Martin J. Vogelbaum

Assistant Federal Public Defender

Federal Public Defender's Office

300 Pearl Street, Suite 200

Buffalo, New York 14202

(716) 551-3341, (716) 551-3346 (Fax)

Martin_Vogelbaum@fd.org

Co-counsel for Defendant Ari Elias Baum

TO: Frank T. Pimentel
Assistant United States Attorney
Jaclyn S. Sainsbury
United States Probation Officer

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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v.

AFFIRMATION

ARI ELIAS BAUM,

Defendant.

MARTIN J. VOGELBAUM, affirms under penalty of perjury that:

1. With Assistant Federal Public Defender Brian P. Comerford, I represent the defendant Ari Elias Baum.
2. Judge McCarthy filed his report and recommendation regarding Mr. Baum's pretrial motions on March 6, 2017. (Doc. 94). Accordingly, objections to the report and recommendation are presently due on or before March 20, 2017. (Doc. 94 at 34).
3. Between the filing of this motion and March 27, the undersigned must file objections to a report and recommendation in another case, a reply brief, and a post-hearing brief. He also has to prepare for two oral arguments and assist with legal research for a trial.
4. Mr. Comerford is currently preparing for a trial that begins on March 20 and is anticipated to last for at least two weeks.

5. For the foregoing reasons, the undersigned requests an adjournment of the deadline to file objections to Judge McCarthy's report and recommendations to and including April 20, 2017.

6. I have discussed this with Assistant United States Attorney Frank Pimentel and the government has no objection to the relief requested by this motion.

7. I agree to the exclusion of the intervening time under the Speedy Trial Act.

DATED: Buffalo, New York, March 9, 2017.

Respectfully submitted,

/s/ Martin J. Vogelbaum

Martin J. Vogelbaum

Assistant Federal Public Defender

Federal Public Defender's Office

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